

Office of the Corporation Counsel

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Description	FY 2003 Actual	FY 2004 Approved	FY 2005 Proposed	% Change from FY 2004
Operating Budget	\$47,368,884	\$51,766,423	\$53,472,737	3.3
FTEs	454.0	535.0	492.0	-8.0

The mission of the Office of Corporation Counsel (OCC) is to provide both legal services to the District of Columbia government pursuant to its statutory authority and child support services to citizens, under federal, local, and interstate requirements, so they can achieve their business goals, manage their legal risks and maintain their rights and protections.

The agency plans to fulfill its mission by achieving the following strategic result goals:

- By 2005, OCC will implement a client education/outreach program that reaches 100 percent of client agencies. Points covered will include:
 - Client business needs;
 - Attorney/Client roles and responsibilities; and
 - Legal risk management.
- By 2006, OCC will have mutually agreed upon service level plans with a majority of client agencies and will meet or exceed defined planned requirements 80 percent of the time.
- By 2006, OCC will implement a staffing and reorganization plan based on the results of 1 and 2 above and the recommendations of the Hildebrandt Report.
- By 2006, OCC will have 90 percent of core data accessible electronically in order to enhance timeliness and quality of service

delivery and response to information requests.

Funding by Source

Tables CB0-1 and 2 show the sources of funding and FTEs by fund type for the Office of the Corporation Counsel.

Table CB0-1

FY 2005 Proposed Operating Budget, by Revenue Type

(dollars in thousands)

Appropriated Fund	Actual FY 2002	Actual FY 2003	Approved FY 2004	Proposed FY 2005	Change from FY 2004	Percent Change
Local Fund	40,710	28,360	28,725	29,097	372	1.3
Special Purpose Revenue Fund	1,246	2,584	5,916	5,881	-35	-0.6
Total for General Fund	41,956	30,944	34,641	34,978	337	1.0
Federal Grant	12,131	14,663	15,468	16,233	766	5.0
Total for Federal Resources	12,131	14,938	15,468	16,233	766	5.0
Intra-District Fund	1,490	1,487	1,658	2,262	604	36.4
Total for Intra-District Funds	1,490	1,487	1,658	2,262	604	36.4
Gross Funds	55,578	47,369	51,766	53,473	1,706	3.3

Table CB0-2

FY 2005 Full-Time Equivalent Employment Levels

Appropriated Fund	Actual FY 2002	Actual FY 2003	Approved FY 2004	Proposed FY 2005	Change from FY 2004	Percent Change
General Fund						
Local Fund	277	272	382	332	-51	-13.2
Special Purpose Revenue Fund	2	2	11	11	0	0.0
Total for General Fund	279	275	393	343	-51	-12.9
Federal Resources						
Federal Payments	0	3	0	0	0	0.0
Federal Grant	152	156	121	121	0	0.0
Total for Federal Resources	152	159	121	121	0	0.0
Intra-District Funds						
Intra-District Fund	24	20	21	29	8	36.2
Total for Intra-District Funds	24	20	21	29	8	36.2
Total Proposed FTEs	455	454	535	492	-43	-8.0

Expenditure by Comptroller Source Group

Table CB0-3 shows the FY 2005 proposed budget for the agency at the Comptroller Source Group level (Object Class level).

Table CB0-3

FY 2005 Proposed Operating Budget, by Comptroller Source Group

(dollars in thousands)

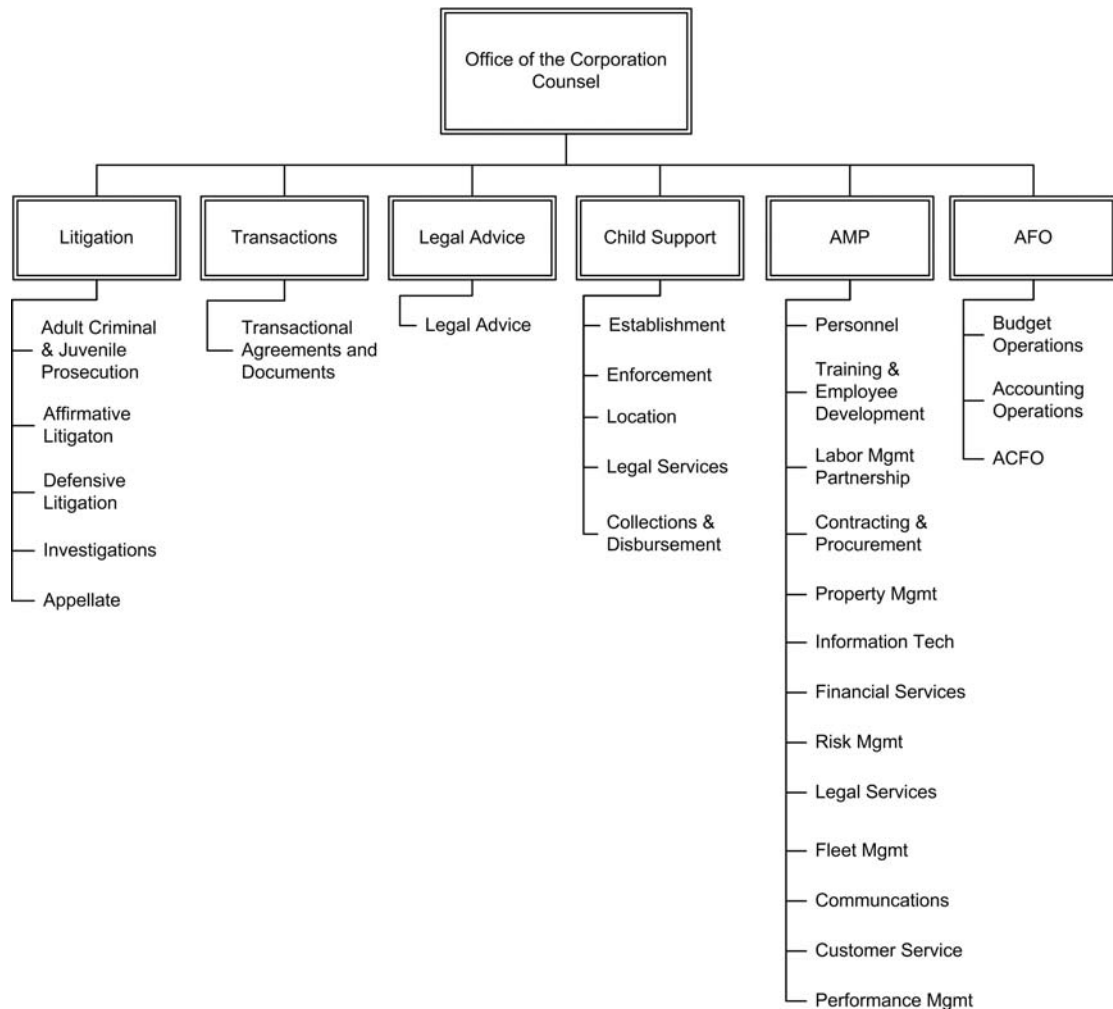
Comptroller Source Group	Actual FY 2002	Actual FY 2003	Approved FY 2004	Proposed FY 2005	Change from FY 2004	Percent Change
11 Regular Pay - Cont Full Time	22,210	23,947	23,303	24,373	1,069	4.6
12 Regular Pay - Other	3,716	3,479	5,535	6,150	615	11.1
13 Additional Gross Pay	856	136	193	193	0	0.0
14 Fringe Benefits - Curr Personnel	4,375	4,395	4,135	4,554	419	10.1
15 Overtime Pay	64	38	62	62	0	0.0
Subtotal Personal Services (PS)	31,221	31,994	33,229	35,332	2,103	6.3
20 Supplies and Materials	168	172	218	217	-1	-0.5
30 Energy, Comm. and Bldg Rentals	370	355	753	360	-392	-52.1
31 Telephone, Telegraph, Telegram, Etc	353	403	292	455	163	55.7
32 Rentals - Land and Structures	381	110	710	0	-710	-100.0
33 Janitorial Services	188	182	222	224	2	0.8
34 Security Services	289	310	312	368	56	17.9
35 Occupancy Fixed Costs	0	0	0	496	496	100.0
40 Other Services and Charges	697	500	717	717	0	0.0
41 Contractual Services - Other	10,217	10,998	11,726	11,726	0	0.0
50 Subsidies and Transfers	856	2,109	3,280	3,280	0	0.0
70 Equipment & Equipment Rental	433	247	306	297	-9	-2.9
91 Expense Not Budgeted Others	10,405	-10	0	0	0	0.0
Subtotal Nonpersonal Services (NPS)	24,357	15,374	18,537	18,141	-396	-2.1
Total Proposed Operating Budget	55,578	47,369	51,766	53,473	1,706	3.3

Expenditure by Program

The Office of the Corporation Counsel has the following program structure.

Figure CB0-1

Office of the Corporation Counsel



Gross Funds

The proposed budget is \$53,472,737, representing a change of 3.3 percent over the FY 2004 approved budget of \$51,766,423. There are 491.98 total FTEs for the agency, a decrease of 43, or eight percent, from FY 2004.

General Fund

Local Funds. The proposed budget is \$29,096,925, representing a change of 1.3 percent over the FY 2004 budget of \$28,724,924. There are 331.6 FTEs for the agency, a decrease of 50.6, or 13.2 percent, from FY 2004.

Special Purpose Revenue Funds. The proposed budget is \$5,880,808, representing a decrease 0.6 percent from the FY 2004 budget of \$5,915,808. There are 11.0 FTEs for the agency, no change from FY 2004.

Federal Funds

Federal Grants. The proposed budget is \$16,233,302, representing an increase of 4.9 percent over the FY 2004 approved budget of \$15,467,519. There are 120.8 FTEs for the agency, no change from FY 2004.

Intra-District Funds

Intra-District Funds. The proposed budget is \$2,261,702, representing an increase of 36.3 percent over the FY 2004 budget of \$1,658,171. There are 28.6 FTEs for the agency, an increase of 7.60, or 36.2 percent, from FY 2004.

Programs

The Office of the Corporation Counsel operates the following programs:

Litigation

	FY 2004	FY 2005
Budget	\$17,170,435	\$17,583,314
FTEs	231.5	205.6

Program Description

The **Litigation** program provides criminal, civil, and administrative litigation services for the government of the District of Columbia and its residents so that their legal rights are protected and enforced. This program has five activities:

- **Adult Criminal and Juvenile Prosecution** - provides prosecution services for the people; consultation and other legal representation services to the government of the District of Columbia so the residents of the District of Columbia can experience enhanced safety through the appropriate resolution of cases.
- **Affirmative Litigation** - provides enforcement, protection, representation and advice services to the government of the District of Columbia and residents so they can enjoy reduced risk of harm, protection of rights and

monetary recovery, thereby enhancing achievement of program goals and quality of life.

- **Defensive Litigation** - provides litigation avoidance, representation and advice services to the government of the District of Columbia, its agencies and employees so they can manage and reduce liability exposure and minimize fiscal and programmatic impact.
- **Investigations** - provides information, evidence and witness location services to enable OCC to access timely, accurate and thorough information to support case management and internal operation decisions.
- **Appellate** - provides appellate services (briefs, substantive motions, appellate court appearances, advice on cases and ethical advice) to the government of the District of Columbia so its actions are upheld and it is not found liable for damages.

Program Budget Summary

This program has a gross funds increase of \$412,879, or 2.4 percent from the FY 2004 approved budget of \$17,170,435. This includes a Local funds increase of \$335,953, a Special Purpose Revenue funds decrease of \$35,000, and an Intra-District funds increase of \$111,926. This change is primarily due to known pay raise increases for all activities, reduced Special Purpose Revenue funding in the Adult Criminal and Juvenile Prosecution activity based on certification from the Office of Research and Analysis, and reduced Intra-District funding in the Affirmative Litigation activity. The gross budget supports 205.7 FTEs, a decrease of 25.7 FTEs from the FY 2004 approved level to align the budget with the Schedule A and to remove unfunded positions.

Key Result Measures

Program 1: Litigation

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): David Rubenstein, George Valentine, and Sheila Kaplan Director

Supervisor(s): Robert Spagnoletti, Director

Measure 1.1: Percent of adult cases presented and resolved by OCC action

	Fiscal Year		
	2004	2005	2006
Target	75	75	75
Actual	-	-	-

Measure 1.2: Percent of juveniles appropriately presented receiving rehabilitation services as a result of OCC action

	Fiscal Year		
	2004	2005	2006
Target	80	80	80
Actual	-	-	-

Measure 1.3: Percent of cases successfully litigated (w/ sanctions imposed, w/ person with MH/MR receives services, w/ judgment for plaintiff/petitioner, w/ compliance achieved)

	Fiscal Year		
	2004	2005	2006
Target	90	75	-
Actual	-	-	-

Note: This measure applies to affirmative litigation.

Measure 1.4: Percent of cases successfully litigated (w/ judgment/verdict for defendant, w/ dismissal, w/ judgment/verdict at less than last demand before trial)

	Fiscal Year		
	2004	2005	2006
Target	90	75	-
Actual	-	-	-

Note: This measure applies to defensive litigation.

Measure 1.5: Percent of investigative reports meeting internal quality assurance standards for timeliness, accuracy and completeness

	Fiscal Year		
	2004	2005	2006
Target	90	90	90
Actual	-	-	-

Measure 1.6: Percent reduction spent on Torts litigation

	Fiscal Year		
	2004	2005	2006
Target	2	2	2
Actual	-	-	-

Transactions

	FY 2004	FY 2005
Budget	\$2,069,033	\$2,391,677
FTEs	28.6	31.2

Program Description

The Transactions program provides procurement, real property and financial legal services to the government of the District of Columbia so it can obtain better contract terms and implement and maintain legally defensible government programs. Transactional Agreements and Documents is the sole activity for the program.

Program Budget Summary

This program has a gross funds increase of \$322,644, or 15.6 percent over the FY 2004 approved budget of \$2,069,033. This includes a Local funds increase of \$21,630 and an Intra-District funds increase of \$301,014. This change is primarily due to additional Intra-District agreements/funding to support the Transactions activity. The gross budget supports 31.2 FTEs, an increase of 2.6 FTEs over the FY 2004 approved level to align the budget with the Schedule A.

Key Result Measures

Program 2: Transactions

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): Charles Barbera, Director

Supervisor(s): Robert Spagnoletti, Director

Measure 2.1: Percent of the transactional agreements and documents completed within-agreed upon time frames

	Fiscal Year		
	2004	2005	2006
Target	90	90	90
Actual	-	-	-

Legal Advice

	FY 2004	FY 2005
Budget	\$3,843,648	\$4,094,826
FTEs	55.2	40.9

Program Description

The **Legal Advice** program provides legal guidance, counseling and legal sufficiency certification services to the government of the District of Columbia and its employees so they can legally and efficiently accomplish the government's mission while minimizing the risk of adverse legal consequences. Legal Advice is the sole activity for this program.

Program Budget Summary

This program has a gross funds increase of \$251,178, or 6.5 percent over the FY 2004 approved budget of \$3,843,648. This includes a Local funds increase of \$60,587 and an Intra-District funds increase of \$190,591. This change is primarily due to known pay raise increases in all funds for the Legal Advice activity. The gross budget supports 40.8 FTEs, a decrease of 14.4 FTEs from the FY 2004 approved level to align the budget with the Schedule A and to remove unfunded positions.

Key Result Measures

Program 3: Legal Advice

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): Wayne Witkowski and Charles Barbera, Director

Supervisor(s): Robert Spagnoletti, Director

Measure 3.1: Percent of the requests for legal advice and review completed within agreed-upon time frames

	Fiscal Year		
	2004	2005	2006
Target	90	90	90
Actual	-	-	-

Child Support Enforcement

	FY 2004	FY 2005
Budget	\$22,930,555	\$23,929,590
FTEs	179.2	179.2

Program Description

The **Child Support Enforcement** program provides child support enforcement services for children so that they can receive from their parents the financial and medical support required by law.

This program has five activities:

- **Establishment** - provides intake interview and investigatory services to custodial parents so they can establish paternity, child support and medical support orders. This activity has \$3,948,891 in gross funds and 29 FTEs.
- **Enforcement** - provides support order enforcement services to Custodial Parents and other legal payees so they can receive support due under child support orders. This activity has \$4,628,750 in gross funds and 34 FTEs.
- **Location** - provides investigative services to locate Non-Custodial Parents. This activity has \$3,678,603 in gross funds and 27 FTEs.
- **Legal Services** - provides legal advice and support to program managers and staff and to conduct child support litigation. This activity has \$5,560,938 in gross funds and 41 FTEs.
 - Per the requirements of the FY 2005 Budget Submission Requirements Resolution of 2004 (R15-384), the proposed budget for the following service is as follows:
 - Establishment of Paternity and Support and Enforcement of Support Orders - This service provides litigation, dispute resolutions, writs of attachment, genetic test schedulings, service of summons, writs, and investigations. The gross budget totals \$4,154,574, including \$246,574 in personal services and \$3,908,000 in nonpersonal services. It includes 31.0 FTEs.
- **Collection and Disbursement** - provides accounting services to Child Support Enforcement so payees receive the correct amount of child support and medical support and that payers receive credit for support paid. This activity has \$6,112,409 in gross funds and 45.0 FTEs.

Program Budget Summary

This program's budget has a gross funds increase of \$999,035, or 4.3 percent over the FY 2004 approved budget of \$22,930,555. This includes a Local funds increase of \$253,182 and a Federal Grant funds increase of \$745,852. This change

is primarily due to known pay raise increases for all activities and increased Federal Grant funds for all activities. The gross budget supports 179.2 FTEs, no change from the FY 2004 approved level to align the budget with the Schedule A.

Key Result Measures

Program 4: Child Support

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): Benidia Rice, Director

Supervisor(s): Robert Spagnoletti, Director

Measure 4.1: Percent increase in support orders established

	Fiscal Year		
	2004	2005	2006
Target	2.5	2.5	2.5
Actual	-	-	-

Measure 4.2: Percent increase in collections on arrears

	Fiscal Year		
	2004	2005	2006
Target	2.5	2.5	2.5
Actual	-	-	-

Measure 4.3: Percent of all notice of hearings successfully served

	Fiscal Year		
	2004	2005	2006
Target	70	70	70
Actual	-	-	-

Measure 4.4: Percent increase of collections

	Fiscal Year		
	2004	2005	2006
Target	2.5	2.5	2.5
Actual	-	-	-

Agency Management

	FY 2004	FY 2005
Budget	\$5,752,751	\$4,893,400
FTEs	40.5	35.5

Program Description

The Agency Management program provides operational support to the agency so that it has the necessary tools to achieve operational and programmatic results. This program is standard

for all Performance-Based Budgeting agencies. More information about the Agency Management program can be found in the Strategic Budgeting chapter.

Program Budget Summary

This program has a gross funds decrease of \$279,421, or 4.8 percent from the FY 2004 approved budget of \$5,752,751. This includes a Local funds decrease of \$299,352, and a Federal Grant funds increase of \$19,931. This change is primarily due to reduced fixed costs in Local funds for the Property Management activity and the transfer of funds from the Financial Management Activity to the Agency Financial Operations Program (AFO). In addition, the agency redirected the remaining Local funds from the Risk Management activity to other programs because all functions associated with risk management were transferred to the Office of Risk Management in FY 2004. The gross budget supports 27.2 FTEs, a decrease of 12.4 FTEs from the FY 2004 approved level to align the FTEs with the Schedule A, to move eight positions to the AFO program, and to remove unfunded positions.

Key Result Measures

Program 5: Agency Management

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): Gail David and Will Lee

Supervisor(s): Robert Spagnoletti, Director

Measure 5.1: Dollars saved by agency-based labor management partnership project(s)

	Fiscal Year		
	2004	2005	2006
Target	-	-	-
Actual	-	-	-

Note: Although agencies established their initial labor-management partnership projects in FY 2003, very few had cost savings as objectives. Agencies will continue ongoing projects and/or establish new projects by the third quarter of FY 2004. Cost savings will be tracked for this measure for those projects that have

Measure 5.2: Percent variance of estimate to actual expenditure

	Fiscal Year		
	2004	2005	2006
Target	5	5	5
Actual	-	-	-

Measure 5.3: Cost of Risk

	Fiscal Year		
	2004	2005	2006
Target	-	-	-
Actual	-	-	-

Note: This measure replaces "Percent reduction of employee lost work-day injury cases." Cost of Risk will be a comprehensive measure of a wide range of risks confronting each agency, including but not limited to safety issues, financial risks, and potential litigation. Agencies will establish a baseline in FY 2004 (FY 2005 for PBB III agencies) and will seek to achieve reductions in the Cost-of-Risk in subsequent years. Lost workdays due to injuries will be one of many components of the Cost-of-Risk formula (1/9/04).

Measure 5.4: Rating of 4-5 on all four telephone service quality criteria: 1) Courtesy, 2) Knowledge, 3) Etiquette and 4) Overall Impression

	Fiscal Year		
	2004	2005	2006
Target	4	4	4
Actual	-	-	-

Measure 5.5: Percent of Key Result Measures Achieved

	Fiscal Year		
	2004	2005	2006
Target	70	70	70
Actual	-	-	-

Strategic Budgeting Chapter, have accurate and timely information to make informed management decisions.

For more detailed information regarding the proposed funding for the activities within this program please see schedule 30-PBB in the FY 2005 Operating Appendices volume.

Agency Financial Operations

	FY 2004*	FY 2005
Budget	\$534,038	\$579,931
FTEs	8.0	8.0

Note: FY 2004 program funding levels are presented for comparison purposes only. the Agency financial Operations program did not exist for FY 2004 as it is new for PBB agencies in FY 2005.

Program Description

The purpose of the **Agency Financial Operations** program is to provide comprehensive and efficient financial management services to and on behalf of District agencies so that the financial integrity of the District of Columbia is maintained. This program is standard for all Performance-Based Budgeting agencies. More information about the Agency Financial Operations program can be found in the

